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Andrea J. Cabral
Secretary

Thomas G. Gatzunis, P.E.
Commissioner

Board of Elevator Regulations – Hearing Minutes – October 29, 2013

This meeting was held in accordance with G. L. c. 30A, §§18-25, the Open Meeting Law

Present:

Walter Zalenski, Chair
Cheri Davis, Member
Susan Genduso, DPS

David Gaudet, Member
John O'Donoghue, Member

Thomas Riley, Member
Michael Nicoloro, Member

Absent:

Harold McGonagle, Member

Kevin McGettigan, Member

Meeting is called to order and board members are introduced by Walter Zalenski – a quorum is present

Minutes:

- Review of Minutes of October 1, 2013
Motion by: John O'Donoghue to accept minutes as read, with clarification of code dates
Seconded by: Cheri Davis
Vote: 6-0 minutes accepted
- Review of Minutes of October 22, 2013
Motion by: David Gaudet to accept minutes as read, with clarification of code dates
Seconded by: Michael Nicoloro
Vote 6-0 minutes accepted

Petitions Heard:

- I. **101 Page Street, New Bedford – 201-P-162, 201-P-163, 201-P-164, 201-P-165, 201-P-166, 201-P-167
524 CMR – 2012, 17.02 (3e) – Pipe in machine room clearance**

Owner: Southcoast Hospital Group, 101 Page Street, New Bedford, MA 02740

Petitioner: Daniel Albert, Kone Elevator

Petitioner is seeking relief from an Inspectors report to allow roof drain pipes that pass through the machine room to remain. The petitioner has withdrawn his request for relief from the venting deficiency as the venting has been updated and is now code compliant. A motion has been put forth by David Gaudet to grant the variance for as requested.

Motioned by: David Gaudet

Seconded by: John O'Donoghue

Vote: 6 – 0, **Variance granted**

**II. 650 North Pleasant Street, Amherst – 9-P-521, 9-P-522, 9-P-523, 9-P-524
524 CMR – 2012, Section 35, 2.7.2.2 – Maintenance clearance**

Owner: University of Massachusetts Amherst, Amherst, MA 01003

Petitioner: David Thibodeau, Eagle Elevator

Petitioner is seeking a variance for insufficient maintenance clearances around the governors and machines. The request for variance for 10 MM Ropes is not needed because the ropes meet the code for new installations. A variance for the installation of these four Machine-Room-Less-Elevators (Modern Elevator “Torin Machine” Models TPM4 and TSM) was granted by the Board on July 2, 2013. DPS will make a site visit to another location (5 Western Avenue, Cambridge) to view a completed installation of the same model to approve a prototype for future installations. A motion was put forth by Cheri Davis to grant the variance as noted.

Motioned by: Cheri Davis

Seconded by: Thomas Riley

Vote: 6-0 **Variance granted**

III. 1168 Highland Avenue, Fall River – 95-P-108

ASME 17.02 (5) (d) – Access to governor

Owner: Home for Aged People, 1168 Highland Avenue, Fall River, MA 02720

Petitioner: Al Juzukonis, Otis Elevator

Petitioner is seeking relief from an Inspector’s Report #101261 (4/25/2013) citing lack of safe access to governor. The elevator was installed to code in 1933. A motion is put forth by John O’Donoghue to grant the variance as requested.

Motioned by: John O’Donoghue

Seconded by: Cheri Davis

Opposed by: Walter Zalenski

Vote: 5-1 **Variance granted**

IV. 524 Pleasant Street, Belmont – 27-R-50

524 CMR 2012, 23.03 and 23.07 - Worn hoist ropes and noisy machine

Owner: James Trainor, 524 Pleasant Street, Belmont, MA 02478

Petitioner: James Trainor

Petitioner is seeking relief from two items on Inspector’s Report #136439 (9/9/2013) worn hoist ropes requiring replacement and noisy machine. Petitioner disagrees with inspector’s opinion and requests more time to complete the repairs if the Board requires that they be completed. All other items cited on report will be repaired. DPS will schedule the Inspector and a Supervisor to meet with petitioner and his elevator company to show him the wear on the ropes and establish the cause of the noisy machine. A motion is put forth by John O’Donoghue to put the variance on hold for 30 days pending the site visit by DPS.

Motioned by: John O’Donoghue

Seconded by: Thomas Riley

Vote: 6-0 **Variance on hold**

V. 200 Central Street, Hudson – 141-R-47

ASME 17.22 (5) – Belts in a power elevator

Owner: First Federated Church, 200 Central Street, Hudson, MA 01749-1320

Petitioner: Katherine Wright & Pastor Jay Mulligan, FFC 200 Central St., Hudson, MA 01749-1320

Petitioner is seeking a variance to allow the continued use of the existing residential, belt driven elevator that was installed in this church in 1992. A motion is put forth by Cheri Davis to grant the variance as requested.

Motioned by: Cheri Davis

Seconded by: John O'Donoghue

Vote: 6-0 **Variance granted**

VI. Locations a. through e. (listed below)

ASME A17.1 – 2004, Section 2.7.2.2.1 – Maintenance and governor clearances and ropes

Petitioner: Kelly Stewart, Kone Elevator

a. 44 Gerrish Avenue, Chelsea

b. 245 Commercial Street, Malden

c. 2 East Bacon Street, Plainville

d. 563 Concord Avenue, Cambridge

e. 10 Rosebrook Way, Wareham

Petitioner is seeking a variance for clearances and 6 MM governor and 8 MM hoist ropes for four installations of "EcoSpace" Machine-Room-Less-Elevators. The installation of this prototype was previously approved by the Board. A motion is put forth by Cheri Davis to grant the variance as requested.

Motioned by: Cheri Davis

Seconded by: John O'Donoghue

Vote: 6-0 **Variance granted**

Petition Review:

VII. Review of Petition for 367 Beacon Street, Boston (Petition heard on October 22, 2013)

Engineers Letter

Petitioner submitted a letter from the manufacturer of the wheelchair lift stating that it is suitable for use as installed and can safely travel 53'. Receipt of the letter was a provision of the petition which was granted on October 22, 2013.

Exhibit List:

Exhibit 1: Petition packet for 101 Page Street, New Bedford

Exhibit 2: Petition packet for 650 North Pleasant Street, Amherst

Exhibit 3: Petition packet for 1168 Highland Avenue, Fall River

Exhibit 4: Petition packet for 524 Pleasant Street, Belmont

Exhibit 5: Petition packet for 200 Central Street, Hudson

Exhibit 6: Petition packet for Item #6, locations a. through e.

A motion was put forth to adjourn the meeting by John O'Donoghue, motion seconded by Michael Nicoloro, all in favor. Meeting adjourned at 2:45pm.

Prepared by: Susan Genduso

October 30, 2013